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COMMONWEALTH OF PENNSYLVANIA

GOVERNOR'S OFFICE

PENNSYLVANIA HUMAN RELATIONS COMMISSION

Rowena Wagner,
Complainant

v.

Crawford Central School District,
Respondent

:
:
:
:
: PHRC Case No. 200206912

: EEOC No. 17FA361963
:
:

COMPLAINT

JURISDICTION

1. Jurisdiction is pursuant to the Pennsylvania Human Relations Act 43 P.S. §§951-963.

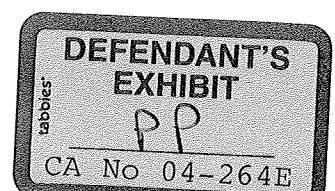
PARTIES

2. The Complainant herein is:

Rowena Wagner
166 N. Franklin Street, P.O. Box 781
Cochrannton, PA 16314

3. The Respondent herein is:

Crawford Central School District
Instructional Support Center
11280 Mercer Pike
Meadville, PA 16335-9504



UNDERLYING FACTS

4. I have been working as a Substitute Elementary Teacher for the Respondent since August 2001.

Count 1

Hire (refusal to)

National Origin - Discrimination

5. Paragraphs 1 through 4 are incorporated herein by reference as though set forth in full.
6. My protected class is national origin. I was born in the Philippines.
7. I applied for a vacant full-time third grade teaching position at Neason Hill Elementary School that became available on November 12, 2002.
8. I knew the position was available because the position was posted and applications were being accepted.
9. The Respondent was seeking certified full-time teaching candidates.
10. I was qualified because I met all of the requirements listed for the position. I am a certified teacher with experience and excellent recommendations.
11. On December 11, 2002, the Respondent notified me that the position no longer existed because it was filled.
12. I believe the Respondent's actions were due to my protected class because the Respondent school district has hired only one full-time minority teacher within the last 10 years.
13. I have applied for approximately 20 full-time teaching positions in the past year without success.
14. Based upon the foregoing, I allege that the respondent violated Section 5(a) of the Pennsylvania Human Relations Act 43 P.S. 951-963.
15. The Complainant prays that the respondent be required to provide all appropriate remedies under § 9 of the Pennsylvania Human Relations Act.

Count 2

Hire (refusal to)

Race - Discrimination

16. Paragraphs 1 through 15 are incorporated herein by reference as though set forth in full.
17. My protected class is race. I am a member of the Asian race.
18. I believe the Respondent's actions were due to my race, because the Respondent school district has hired only one minority in the past 10 years.
19. I believe the Respondent's actions were due to my protected class because.
20. Based upon the foregoing, I allege that the respondent violated Section §(a) of the Pennsylvania Human Relations Act 43 P.S. 951-963.
21. The Complainant prays that the respondent be required to provide all appropriate remedies under § 9 of the Pennsylvania Human Relations Act.

Count 3

Discharge

National Origin - Discrimination

22. Paragraphs 1 through 21 are incorporated herein by reference as though set forth in full.
23. My protected class is National Origin. I was born in the Philippines.
24. I was qualified because I am a certified teacher with substitute experience.
25. On December 20, 2002, the Respondent terminated the temporary position I held replacing Joye Pickens, who was off from work on medical leave.

26. The Respondent's reason for the action taken was that I was not as qualified as the successful candidate to fulfill the remaining term of Joye Pickens medical leave.
27. The Respondent selected Amy Szalewicz, a similarly situated teacher whose national origin is the United States to replace me.
28. I believe the Respondent's actions were due to my National Origin, Filipino, because Respondent's past practice for filling a temporary leave of absence or sabbatical consisted of having the permanent teacher select an individual to temporarily fill the position.
29. Joye Pickens drafted a letter to the principal and to Charles Heller III, the Assistant Superintendent of Schools, informing them that I was selected to fill the position.
30. Once Charles Heller became aware that I was the selected candidate, Charles Heller terminated my services from that position, changed the procedure and required a more formal application process.
31. Based upon the foregoing, I allege that the respondent violated Section 5(a) of the Pennsylvania Human Relations Act 43 P.S. 951-963.
32. The Complainant prays that the respondent be required to provide all appropriate remedies under § 9 of the Pennsylvania Human Relations Act.

Count 4

Discharge

Race - Discrimination

33. Paragraphs 1 through 32 are incorporated herein by reference as though set forth in full.
34. I am a member of the protected class of race. I am member of the Asian race of people.
35. The Respondent replaced me with Amy Szalewicz, a similarly situated Caucasian teacher.

36. I believe the Respondent's actions were due to my race Asian because Respondent's past practice for filling a temporary leave of absence or sabbatical consisted of having the permanent teacher select an individual to temporarily fill the position.
37. Based upon the foregoing, I allege that the respondent violated Section 5(a) of the Pennsylvania Human Relations Act 43 P.S. 951-963.
38. The Complainant prays that the respondent be required to provide all appropriate remedies under § 9 of the Pennsylvania Human Relations Act.

DUAL FILING

39. This charge has been filed with the U.S. Equal Employment Opportunity Commission.

VERIFICATION

I hereby verify that the statements contained in this complaint are true and correct to the best of my knowledge, information, and belief. I understand that false statements herein are made subject to the penalties of 18 P.A.C.S. § 4904, relating to unsworn falsification to authorities.

February 20, 2003 Rowena Wagner
(Date Signed) Rowena Wagner

Rowena Wagner vs Crawford Central School District

PHRC Case No.200206912

EEOC No. 17FA361963

Certificate of Service

Pursuant to the requirements of 1 Pa. Code § 33.31, I hereby certify that I have this day served the foregoing Complaint by first class mail, postage prepaid, as follows:

Rowena Wagner
Rowena Wagner
166 N. Franklin Street P.O. Box 781
Cochrannton, PA 16314

Crawford Central School District
Crawford Central School District
Instructional Support Center 11280 Mercer
Pike
Meadville, PA 16335-9504



M. Boxley, March 7, 2003